

### REMARKS

Claims 1-32 are pending in the application. Claims 1-32 have been rejected. No amendments to the Specification, Claims, or Drawings have been made.

#### Rejection of Claims under 35 U.S.C. § 103

Claims 1-7, 9-19, 21-29, 31 and 32 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,594,791 issued to Szlam, et al. (hereinafter Szlam).

Applicants respectfully traverse this rejection.

Independent claim 1 is restated below:

A method comprising:  
maintaining real-time data for multi-channel communication queuing, wherein the maintaining comprises:  
forming a list of agent data, wherein the agent data includes information related to types of communication media an agent can access.

Independent claims 13 and 23 have substantially the same limitations as independent claim 1. The Office Action states the following:

... Szlam et al. do not explicitly suggest maintaining real-time data for multi-channel communication queuing. In the customer service center, the status of the agent and all call routing data must be in real-time. This is the obvious (if not inherent) way to operate a customer service center. For example, tracking agents when they log on or log off, when they are busy or idle happens in real time. This is the nature of the customer service center. (Office Action p. 2, paragraph 3).

Applicants agree that Szlam does not teach or suggest maintaining real-time data for multi-channel communication queuing. Applicants are unclear whether the Examiner is arguing that (1) maintaining real-time data for multi-channel communication queuing is implicitly taught by the Szlam reference and/or the prior art at the time of the invention, or (2) maintaining real-time data for multi-channel communication queuing is part of the knowledge of one of ordinary skill in the art. Applicants do not concede to

either of these conclusions, and both arguments are addressed herein to expedite prosecution of the case.

In response to the argument that maintaining real-time data for multi-channel communication queuing is implicitly taught by the Szlam reference (or any such system available at the time of invention), Applicants respectfully disagree. Szlam teaches “an automated customer service system which maintains and uses a customer sensitivity profile to contact the customer in a manner, at a time and date, and at a location which are preferred by the customer.” (Szlam, Abstract). “The automated customer service system also maintains and uses a list of available resources, such as an agent qualification profile, in conjunction with the customer sensitivity profile, to automatically assign available resources, such as agents, to ... various campaigns.” (Id.)

The automated customer service system of Szlam appears to primarily manage outgoing communication to customers so that the customer is most likely to be receptive (according to the customer’s profile). The automated customer service center of Szlam queues automated tasks of dialing the telephone for voice calls, sending automated faxes and letters, and e-mailing documents. (See, e.g., Szlam column 15 lines 14-20 and column 16 lines 43-62). A customer is placed into an appropriate queue, such as a to-be-called voice queue or a fax queue. (See Szlam column 22 lines 28-32). Agents are allocated for handling voice telephone calls based upon the customer preference profile indicating language requirements and other such skills. (See Szlam column 7 lines 26-44).

Szlam does not address the problem of queuing communication for agents who perform customer service via multiple communication channels. Communications involving other media, such as the automated faxes or e-mailing of documents, are not assigned to agents, as shown by the separate queues for different media. (See Szlam column 22 lines 28-32). If agents are involved only in voice communication, data about whether the agent is busy or idle (which the Office Action cites as an example of real time data) pertains only to the telephone channel, and is not *real-time data for multi-channel communication queuing*.

Furthermore, if agents only access the telephone medium, no need exists to maintain agent data about the *types of communication media an agent can access*. While events tracked by the automated customer service center of Szlam may *occur* in real time, Applicants have searched and can find no indication that the system of Szlam would use or have a need for *real-time data for multi-channel communication queuing*, and particularly not data about the *types of communication media that an agent can access*. Even though the system of Szlam may operate in an environment involving time-sensitive data, Szlam's system cannot be assumed to be capable of maintaining data in real-time.

In response to an argument that maintaining real-time data for multi-channel communication queuing was known by those of skill in the art at the time of the invention, Applicants respectfully request that the Examiner cite a reference for this assertion or, in the alternative, take official notice that the assertion is fact. Applicants respectfully point out that it has been acknowledged that Szlam does not teach

maintaining real-time data for multi-channel communication queuing. Furthermore, it has been shown that the problems addressed by Szlam do not suggest the need for real-time data for multi-channel communication queuing.

Limiting agents to customer service via the telephone wastes agent time that could otherwise be spent providing customer service via other media, such as electronic mail. The inventors of the present invention recognized these limitations and addressed the problem by maintaining real-time data about, *inter alia*, the communication media an agent can access. Therefore, if an agent is not servicing a phone call and a need to provide service via another medium arises, the agent can be identified as being available to provide service via the other medium if the agent can access that medium.

Szlam does not teach maintaining real time data for multi-channel communication queuing, and in particular data related to types of communication media an agent can access, nor was such a system known at the time of the invention. Applicants respectfully submit that independent claims 1, 13, and 23 are allowable. Consequently, independent claim 1 and its dependent claims 2-12, independent claim 13 and its dependent claims 14-22, and independent claim 23 and its dependent claims 24-32 are allowable for at least the foregoing reasons.

Claims 8, 20, and 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Szlam in view of Shtivelman et al. (U.S. Patent 6,263,066). Applicants respectfully traverse this rejection.

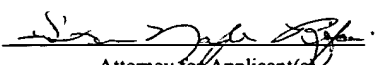
Claims 8, 20, and 30 require “assigning a priority value to media routes.” The Office Action states that “Shtivelman et al. teach assigning a priority value to the media routes,” citing the Abstract. (Office Action, page 4, paragraph 4.)

The Abstract of Shtivelman states that “all types of multimedia communication can be queued in the same queue according to pre-stored routing rules and priority rules.” Applicants respectfully point out that using pre-stored priority rules to queue communication is not *assigning a priority value*, as required by claims 8, 20, and 30. Furthermore, the priority value is required to be assigned *to a media route*, and media routes are not taught by Shtivelman. Accordingly, Shtivelman does not teach *assigning a priority value to a media route* and claims 8, 20, and 30 are allowable.

### CONCLUSION

In view of the remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5086.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AF, COMMISSIONER FOR PATENTS, P. O. Box 1450, Alexandria, VA 22313-1450, on May 3, 2004.

 9/30/04  
Attorney for Applicant(s) Date of Signature

Respectfully submitted,



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